**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO. 2911 OF 2004**

**IN**

**CRIMINAL REVISION APPLICATION NO.250 OF 2004**

Gulam Hussain Chougule ..Applicant

versus

V.D. Choudhari & Anr. ..Respondents

Mr. Amin H. Solkar for the Applicant.

Mr. J. C. Satpute for the Respondent No.1.

Mr. A.S. Gadkari, A.P.P. for the Respondent No.2.

**CORAM : A.M. KHANWILKAR,J.**

**DATE : 20TH OCTOBER 2004.**

**P.C. :**

. Heard counsel for the parties. Perused the pleadings. There is no reason to doubt the assertion made on behalf of the applicant that the applicant was misled by his Advocate. If the delay has occurred on account of mistake of the Advocate, the litigant cannot be penalised. Accordingly delay of only 198 days in filing of the Revision Application before this court deserves to be condoned. Application allowed in terms of prayer clause (a). Revision application will be taken for admission tomorrow 21st October, 2004, to be placed in the supplementary list.

A.M. KHANWILKAR,J.